

MEMORANDUM

Agenda Item No. 13(A)(3)

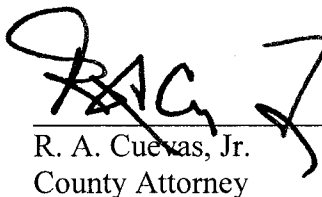
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 18, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution authorizing
certain settlement in
County eminent domain
proceedings by County
Attorney in connection with
the acquisition of land needed
for improvements to NW 72
Avenue from NW 74 Street to
Okeechobee Road, S.R. 25

The accompanying resolution was placed on the agenda by the County Attorney.



R. A. Cuevas, Jr.
County Attorney

RAC/bw

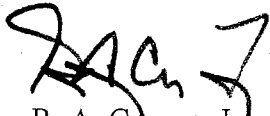


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 18, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 13(A) (3)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

☒ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 13(A)(3)
9-18-07

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT IN
COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY
ATTORNEY IN CONNECTION WITH THE ACQUISITION OF
LAND FOR THE RIGHT-OF-WAY NEEDED FOR
IMPROVEMENTS TO THE NW 72ND AVENUE FROM NW
74TH STREET TO OKEECHOBEE ROAD, STATE ROAD NO.
25 IN MIAMI COUNTY, FLORIDA

WHEREAS, this Board by Resolution No. R-1004-04 dated July 27, 2004 previously declared the acquisition of land for the right-of-way needed for improvements to the NW 72nd Avenue from NW 74th Street to Okeechobee Road, State Road No. 25 in Miami-Dade County, Florida, to be a public necessity and authorized the acquisition of land therefor by eminent domain proceedings; and

WHEREAS, the owner of the parcel of land set forth in the attached land acquisition summary sheet has offered to settle for the figure specified therein; and

WHEREAS, the County Attorney hereby recommends the settlement amount as set forth in the attached land acquisition summary sheet,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the County Attorney is hereby authorized to compromise and settle on behalf of the County all claims against the County in eminent domain proceedings for the parcel and for substantially the terms and the amount specified in the attached land acquisition summary sheet.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 18th day of September, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Thomas Goldstein

LAND ACQUISITION SUMMARY SHEET

PROJECT LOCATION:	Widening and improvement of N.W. 72 nd Avenue from NW 74 th Street to Okeechobee Road, State Road No. 25 in Miami-Dade County, Florida
APPRAISER:	J. Mark Quinlivan
PARCEL NUMBER:	11, 11a and 12
OWNERSHIP INTEREST:	7200 Corp., a Florida Corporation
INITIAL OFFER:	\$318,000.00 for land acquired and costs to cure (excluding traffic security gate.)
OWNER'S APPRAISAL:	\$795,952.00 (excluding traffic security gate)
COUNTY'S UPDATED APPRAISAL:	\$351,913.00
ATTORNEY'S FEE AND COSTS:	See Full Compensation
FULL COMPENSATION AND REMARKS:	\$532,280.91 inclusive of any and all damages, cost to cure, traffic security gate, attorney's fee and costs. This figure is made up of \$388,396.00 for land acquired and cost to cure; an amount not to exceed \$85,000.00 for a traffic security gate; \$47,114.28 attorney's fee; and \$11,770.53 expert fees and costs.